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State of California—Health and Human Services Agency  
California Department of Public Health

Northern California Drinking Water Field Operations Branch  
Monterey District



EDMUND G. BROWN JR.  
Governor

February 15, 2013

Mr. Don Rosa, General Manager  
Sunny Mesa Water System  
136 San Juan Road  
Royal Oaks, CA 95076

Attention Mr. Rosa:

**CITATION NO. 02-05-13C-001**

**TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION FOR DECEMBER 2012  
SUNNY MESA WATER SYSTEM – NO. 2700773**

Enclosed is a Citation issued to the Sunny Mesa Water System. The Citation is being issued because the Sunny Mesa Water System has failed to comply with the total coliform maximum contaminant level as specified in Section 64426.1(b)(2), Chapter 15, Title 22, of the California Code of Regulations during the month of December 2012.

The Citation consists of five sections: Violation, Background, Notification Requirements, Directives and Civil Penalty. The Violation and Background sections describe the events leading up to the issuance of the Citation. The Notification Requirements section specifies what, when, and to whom notifications are required. The Directives section specifies required actions that must be implemented by the water system to return to compliance. The Civil Penalty section describes penalties to be assessed for failure to comply with the Citation. No civil penalty is levied with the attached Citation.

Your water system has been billed at the Department's currently hourly rate for the time spent on issuing this Citation since this is an enforcement action for noncompliance with state regulations. If you have any questions regarding this matter, please contact Shaminder Kler of my staff at (831) 655-6938 or me at (831) 655-6934.

Sincerely,

Jan R. Sweigert, P.E.  
District Engineer, Monterey District  
DRINKING WATER FIELD OPERATIONS BRANCH

Enclosures

**CERTIFIED MAIL NO. 7008-1830-0004-5435-4163**

cc (w/enclosures): Monterey County Environmental Health Department

STATE OF CALIFORNIA

DEPARTMENT OF PUBLIC HEALTH

Date of Issuance: February 15, 2013

RE: Sunny Mesa Water System  
Water System No. 2700773

TO: Mr. Don Rosa, General Manger  
Sunny Mesa Water System  
136 San Juan Road  
Royal Oaks, CA 95076

CITATION FOR NONCOMPLIANCE

TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION

DECEMBER 2012

Chapter 4, Article 9, Section 116650 of the California Health and Safety Code (H&S Code) authorizes the issuance of a Citation for failure to comply with this Chapter (California Safe Drinking Water Act) or any regulation, standard, permit, or order issued or adopted thereunder.



1 **Violation**

2

3 The California Department of Public Health, Drinking Water Field Operations  
4 Branch, (hereinafter "Department") hereby issues a Citation to the Sunny Mesa  
5 Water System (hereinafter "Sunny Mesa WS") for the following violation:

6

7 Violation of the total coliform maximum contaminant level (MCL) for  
8 compliance with the Total Coliform Rule (TCR) pursuant to Section  
9 64426.1(b)(2), Chapter 15, Title 22, of the California Code of  
10 Regulations (CCR).

11

12 Section 64426.1(b)(2) specifies that a water supplier collecting fewer  
13 than 40 samples per month is in violation of the total coliform MCL  
14 when more than one sample collected during any month is total  
15 coliform positive.

16

17 During December 2012, the Sunny Mesa WS had four out of nine  
18 routine and repeat distribution samples that tested positive for total  
19 coliform and negative for *E. coli*. This constitutes a violation of the total  
20 coliform MCL for the Sunny Mesa WS for the month of December  
21 2012.

22

23 **Background**

24

25 The Sunny Mesa WS is classified as a community water system, which serves a  
26 population of approximately 880 persons through 253 service connections. The  
27 water system has two groundwater sources designated as Well 01 (Primary





1 Station Code (PSC): 2700773-001) and Well 02 (PSC: 2700773-002) which are  
2 not equipped with disinfection treatment. The Sunny Mesa WS is required to  
3 collect five bacteriological samples from the distribution system per month for  
4 compliance with the TCR. The Groundwater Rule (GWR) requires sampling from  
5 active raw water sources in addition to repeat distribution bacteriological  
6 samples, within 24 hours of notification, following any total coliform-positive result  
7 from the distribution system.

8  
9 On December 10, 2012, the Sunny Mesa WS collected five routine  
10 bacteriological samples from the distribution system for compliance with the TCR  
11 for the month of December 2012. One sample, collected at "50 Hill Crest Road",  
12 tested positive for total coliform and negative for *E. coli*. On December 12, 2012,  
13 the Sunny Mesa WS collected four repeat distribution bacteriological samples  
14 and one raw water sample from the active source, Well 02. Three of the repeat  
15 distribution samples tested positive for total coliform and negative for *E. coli*. The  
16 four bacteriological samples from the distribution system that tested positive for  
17 total coliform resulted in violation of the total coliform MCL for the compliance  
18 period of December 2012.

19  
20 On December 13, 2012, Mr. Don Rosa, General Manager for the Sunny Mesa  
21 WS, notified the Department that the system had exceeded the TCR MCL for  
22 December 2012 following his verbal communication with Soil Control Laboratory  
23 staff. Mr. Rosa was instructed by Department staff to conduct additional  
24 distribution bacteriological sampling using a test method that enumerates, flush  
25 the affected area, and investigate the potential cause for contamination. In  
26 accordance with instructions received from the Department, between December  
27 13, 2012 and December 19, 2012, the Sunny Mesa WS collected a total of



1 twenty-two samples from distribution sites and one sample from the storage tank.  
2 Thirteen of the repeat investigative distribution samples tested positive for total  
3 coliform and negative for *E.coli*. On December 20, 2012, the water system  
4 reported to the Department that they had flushed at "52 Hillcrest Road" and  
5 cleared shrubbery adjacent to the sample tap then collected two sample sets of  
6 three on December 20, 2012 and December 21, 2012. All six samples tested  
7 negative for coliform bacteria.

8  
9 On January 2, 2013, Department staff directed the water system to prepare a  
10 public notification for distribution to the customers served by the Sunny Mesa WS  
11 and to submit the system's findings regarding the physical works and procedures  
12 which may have caused the elevated bacteriological results during December  
13 2012. On January 4, 2013, the Sunny Mesa WS distributed by mail and by  
14 posting in conspicuous places throughout the water system a Department  
15 approved public notification regarding the December 2012 TCR MCL failure. On  
16 January 7, 2013, the water system submitted a completed Total Coliform  
17 Investigative Form that reported inconclusive findings for what may have caused  
18 the coliform contamination during the month of December 2012.

19  
20 Mr. Rosa provided written details of the procedures implemented by the system  
21 upon being notified of the total coliform detections. In accordance with  
22 instructions received from the Department, the Sunny Mesa WS complied with  
23 follow up bacteriological monitoring and public notification requirements. The  
24 Sunny Mesa WS has proven to be committed to providing safe drinking water to  
25 its customers and actively took the required corrective actions in this situation. In  
26 addition, system staff members have continually been proactive in maintaining  
27 discussion with the Department on the status of the system.





**Notification Requirements**

Section 64426.1(c), Chapter 15, Title 22, CCR requires a public water system to notify the Department and its consumers when a violation of the total coliform MCL occurs. Notification to the Department shall be by the end of the business day on which the violation has been determined. If the Department is closed, notification shall be within 24 hours of the determination. **The Department was notified in accordance with the above-referenced section by Mr. Don Rosa, General Manager for the Sunny Mesa WS, on December 13, 2012, that the system had exceeded the total coliform MCL for the month of December 2012.**

Notification of the public was conducted by the water system on January 4, 2013, in accordance with Section 64464.3, advising each customer of the failure of the total coliform MCL during the month of December 2012. Furthermore, a Proof of Notification form showing that the Sunny Mesa WS customers were provided notice of the total coliform MCL via mail delivery and posting within conspicuous places served by the water system was received by the Department by electronic mail on January 4, 2013, and in hardcopy format on January 9, 2013.

**Civil Penalty**

Section 116650 of the California Health and Safety Code allows for the assessment of a civil penalty for failure to comply with requirements of California Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking Water Act), or any regulation, permit, standard, citation, or order issued



or adopted thereunder. No civil penalties are levied in this citation.

Date

2/15/2013

Jan R. Sweigert, P.E.

District Engineer, Monterey District

DRINKING WATER FIELD OPERATIONS BRANCH



CERTIFIED MAIL NO. 7008-1830-0004-5435-4163

